



Order Filed on August 20, 2019
by Clerk
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY
Caption in Compliance with D.N.J. LBR 9004-1(b)
STERN, LAVINTHAL & FRANKENBERG, LLC
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Attorney for Secured Creditor,
Carrington Mortgage Services LLC as servicing agent
for Wells Fargo Bank, N.A., as Trustee for Carrington
Mortgage Loan Trust, Series 2006-FRE1 Asset-Backed
Pass-Through Certificates
By Maria Cozzini, Esq.

In Re:

Charles A. Schaffer, III aka Charles Schaffer
aka Charles Schaffer, III

Debtor(s).

Case No.: 17-33684-MBK

Chapter: 13

Hearing Date: May 22, 2019

Judge: Michael B. Kaplan

**ORDER RESOLVING CREDITOR'S CERTIFICATION OF DEFAULT
WITH CONDITIONS**

The relief set forth on the following pages, numbered two (2) through four (4) is **ORDERED**

DATED: August 20, 2019


Honorable Michael B. Kaplan
United States Bankruptcy Judge

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Debtor: Michael B. Kaplan

Case No: 17-33684-MBK

Caption: Order Resolving Creditor's Certification of Default

Applicant:	<u>Carrington Mortgage Services, LLC</u>
Applicant's Counsel:	<u>Stern Lavinthal & Frankenberg, LLC</u>
Debtor's Counsel:	<u>Ronald E. Norman, Esq.</u>
Property Involved ("Collateral"):	<u>2 Pine Rd, Medford, NJ 08055-8159</u>

Relief sought:

- ✓ Motion for relief from the automatic stay
- Motion to dismiss
- Motion for prospective relief to prevent imposition of automatic stay against the collateral by debtor's future bankruptcy filings

For good cause shown, it is **ORDERED** that Applicant's Motion(s) is (are) resolved, subject to the following conditions:

1. Status of post-petition arrearages:

- The Debtor is overdue for 7 months, from January 1, 2019 to July 1, 2019.
- The Debtor is overdue for 1 payment at \$3,030.33 per month.
- The Debtor is overdue for 6 payments at \$3,021.23 per month.
- Less Funds held in debtor(s) suspense \$2,415.06

Total Arrearages Due \$18,742.65

2. Debtor must cure all post-petition arrearages, as follows:

- Beginning on August 1, 2019, regular monthly mortgage payments shall continue to be made in the amount \$3,021.23.
- Beginning on August 1, 2019, additional monthly cure payments shall be made in the amount of \$3,123.78 for 6 months.

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Debtor: Michael B. Kaplan

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3. Payments to the Secured Creditor shall be made to the following address(es):

- ✓ Regular monthly payment: Carrington Mortgage Services, LLC
P.O. Box 3730
Anaheim, CA 92806
- ✓ Monthly cure payment: Carrington Mortgage Services, LLC
P.O. Box 3730
Anaheim, CA 92806

4. In the event of Default:

- ✓ If the Debtors fail to make the immediate payment specified above or fail to make any regular monthly payment or the additional monthly cure payment within thirty (30) days of the date the payments are due, then the Secured Creditor may obtain an Order Vacating the Automatic Stay as to the Collateral by filing, with the Bankruptcy Court, a Certification specifying the Debtors' failure to comply with this Order. At the time the Certification is filed with the court, a copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtors, and the Debtors' attorney.
- ☐ If the bankruptcy case is dismissed, or if the automatic stay is vacated, the filing of a new bankruptcy case will not act to impose the automatic stay against the Secured Creditor's opportunity to proceed against its Collateral without further Order of the Court.

5. Award of Attorneys' Fees:

- ✓ The Applicant is awarded attorneys fees of \$350.00, and costs of \$181.00.

The fees and costs are payable:

- ✓ through the Chapter 13 plan.
- ☐ to the Secured Creditor within _____ days.
- ☐ Attorneys' fees are not awarded.